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KLAUS J. BACH
4407 TWIN OAKS DRIVE
MURRYSVILLE, PA 15668

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JUL 13 2004

In re Application of
Haltermann, et al.
Application No. 10/643,474
Filed: August 19, 2003
Attorney Docket No. WM 132

OFFICE OF PETITIONS

ON PETITION

This is a decision on the papers styled, "Petition under 37 CFR 1.181," filed June 28, 2004, which has been treated as a petition under 37 CFR 1.53, requesting that the above-identified application be accorded a filing date of August 19, 2003, including two (2) pages of drawings.

The application was submitted on August 19, 2003. However, on June 21, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice Of Incomplete Nonprovisional Application" that stated the application had not been accorded a filing date, and that the application was deposited without drawings.

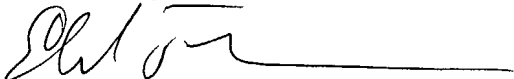
In response, on June 28, 2004, the present petition was filed wherein petitioner argues that two (2) pages of drawings were filed on August 19, 2003. The papers were accompanied by a copy of applicant's postcard receipt that acknowledges receipt of two (2) pages of drawings on August 19, 2003. A review of the application file indicates the presence of zero (0) sheets of drawings. It is assumed that missing sheets of drawings were misplaced by the Office.

In view of the above, the petition is granted.

The \$130.00 petition fee will be refunded to deposit account no. 50-0465.

This application will be returned to OIPE for further processing with a filing date of August 19, 2003, using the two (2) pages of drawings, supplied on June 28, 2004.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-9200.

A handwritten signature in dark ink, appearing to read 'E. J. Tannouse', followed by a horizontal line.

Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office